

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	Case No. 4:97CR3016
Plaintiff,)	
)	
vs)	MEMORANDUM
)	AND ORDER
MICHELLE A. GREEN,)	
)	
Defendant.)	

Michelle Green has filed a pleading styled “Motion to Set Disposition Hearing.” (Filing 99 (sealed).) The government has informally responded that it objects to the motion, but does not wish to provide a formal response. I will grant the motion in part, and deny it in part.

Essentially, Ms. Green wants me to allow her to attend the St. Monica’s Project Mother Child (PMC) program and to hold a sentencing hearing on her admitted violations of supervised release 60 to 90 days following the birth of her child. That birth is expected on August 17, 2006. It makes some sense to allow Ms. Green to attend and complete the PMC program during her pregnancy, but once the child is born I see little reason to delay sentencing beyond 30 days or so. Therefore,

IT IS ORDERED that:

1. Disposition (sentencing) of this matter is continued until further order of the court.
2. The defendant shall promptly notify the court when she gives birth to her child or her pregnancy otherwise ends.

3. Until further order of the court, the defendant shall reside at, and successfully complete, the requirements of the PMC program. She shall also follow all the conditions of her supervised release and the directions of her probation officer.
4. It is the court's intention to dispose of this matter, and sentence the defendant accordingly, approximately 30 days following the birth of the defendant's child or the termination of the defendant's pregnancy.
5. The defendant is instructed to begin making arrangements now to care for the child should a prison sentence be imposed at sentencing.
6. My staff shall bring this case to my attention on Monday, August 21, 2006.
7. The motion to set disposition hearing (filing 99(sealed)) is granted in part and denied in part as provided above.

May 11, 2006.

BY THE COURT:

s/Richard G. Kopf
United States District Judge